

12-17-01

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Sheet 1 of 4

TRANSMITTAL FORM FOR FILING PATENT APPLICATION

Attorney Docket No.: SYNER-177XX

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP  
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J1040 U.S. PTO  
 10/016597  
 10/26/01

BOX PATENT APPLICATION  
 Commissioner for Patents  
 Washington, D.C. 20231

Express Mail No: EV009948874US  
 Date: October 26, 2001

First Named Inventor or Application  
 Identifier: Curtis W. Heisey

Sir:

Transmitted herewith under 37 CFR § 1.53 for filing is the patent application of:

Inventor: Curtis W. Heisey, Ravindra V. Gokhale, Kathy A. Kaminski

Entitled: INTELLIGENT DEVICE UPGRADE ENGINE

[ ] This is a request for filing a [ ] continuation [ ] divisional  
 [ ] continuation in-part application under §1.53(b) of prior Application  
 No. \_\_\_\_\_, filed \_\_\_\_\_, entitled:

Enclosed are:

[X] 31 pages of written description, claims and Abstract, inclusive

[X] 6 sheets of [ ] informal [X] formal drawings of Figs. 1-6 (one set)

[X] Oath or Declaration

[X] Newly executed (original or copy)

[ ] Copy from prior application (37 CFR 1.63(d)) (for  
 continuation/divisional). The entire disclosure of the prior  
 application, from which a copy of the oath or declaration is supplied,  
 is considered as being part of the disclosure of the accompanying  
 application and is hereby incorporated by reference therein.

[ ] To be filed later

[X] Cover sheet and Assignment of the invention to: 3COM Corporation

[ ] Certified copy of a \_\_\_\_\_ application (if foreign priority  
 is claimed) with letter claiming priority under Rule 55.

[ ] Information Disclosure Statement with \_\_\_ citations

[ ] Preliminary amendment is enclosed.

[X] Return receipt postcard

[ ] Small entity status is entitled to be, and hereby is, asserted for this  
 application.

Attorney Docket No.: SYNER-177XX


TRANSMITTAL FORM FOR FILING PATENT APPLICATION (CONTINUED)

[ ] Other: \_\_\_\_\_

[ ] Priority is claimed under 35 USC § 120 as indicated on the attached sheet 4.

[ ] Priority is claimed under 35 USC §119(a)-(d) as indicated on the attached sheet 4.

[X] Priority is claimed under 35 USC §119 (e) as indicated on the attached sheet 4.

[X] David A. Dagg is hereby appointed Associate Attorney by:  
Registration No.: 37,809
  
 Attorney of Record Victor B. Lebovici  
 Registration No.: 30,864

[ ] Power of Attorney in the originally-filed application has been granted to one or more of the registered attorneys listed below. The attorneys listed below not previously granted power in the originally-filed application, as well as \_\_\_\_\_, are hereby given associate power:  
 Registration No.:

Stanley M. Schurgin, Reg. No. 20,979  
 Charles L. Gagnebin III, Reg. No. 25,467  
 Victor B. Lebovici, Reg. No. 30,864

Beverly E. Hjorth, Reg. No. 32,033  
 Holliday C. Heine, Reg. No. 34,346  
 Gordon R. Moriarty, Reg. No. 38,973  
 James F. Thompson, Reg. No. 36,699

[ ] Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.

[ ] Add in this application claims \_\_\_\_\_ per amendment before calculating fee.

CLAIMS FILED:	MINUS BASE:	EXTRA CLAIMS:	RATE:	BASIC FEE:
				\$740.00
Independent	4 - 3	= 1	x \$84.00 =	\$ 84.00
Total	19 - 20	= 0	x \$18.00 =	\$ 0.00
[ ] Multiple Dependent Claims (1st presentation)			+ \$280.00 =	\$ 0.00
SUBTOTAL FILING FEE				\$ 824.00
Small Entity filing, divide by 2. (Small Entity status must be asserted.)				\$
TOTAL FILING FEE				\$ 824.00

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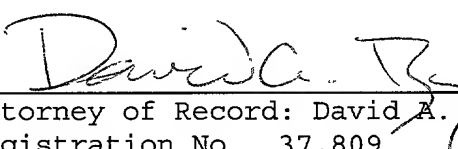
## TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)

- [X] The filing fee has been calculated above; a check in the amount of \$824.00 is enclosed.
- [ ] The filing fee will be submitted at a later date.
- [X] In the event a Petition for Extension of Time under 37 CFR §1.17 is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- [ ] The Commissioner is hereby authorized to charge payment of any additional filing fees under 37 CFR §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

[X] Customer Number 207

Address all future communications to:

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\_\_\_\_\_  
Attorney of Record: David A. Dagg  
Registration No. 37,809

Attorney Docket No.: SYNER-177XX

## TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)

☐ Priority is claimed under 35 USC § 120 of prior Application(s)  
No. \_\_\_\_\_, filed \_\_\_\_\_, entitled:

☐ The above-identified application(s) is/are assigned of record to:

☐ Priority is claimed under 35 USC § 119 (a)-(d) of the following application(s).

\_\_\_\_\_  
(Application Number) (Country) (Filing Date)

\_\_\_\_\_  
(Application Number) (Country) (Filing Date)

\_\_\_\_\_  
(Application Number) (Country) (Filing Date)

☐ The above-identified application(s) is/are assigned of record to:

☒ Priority is claimed under 35 USC § 119 (e) of the following provisional application(s).

60/294,049 May 29, 2001  
(Application Number) (Filing Date)

\_\_\_\_\_  
(Application Number) (Filing Date)

\_\_\_\_\_  
(Application Number) (Filing Date)

☒ The above-identified provisional application(s) is/are assigned  
of record to: 3COM CORPORATION

SUBMIT IN TRIPLICATE

DAD/kdm/261124